

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

LISA D. THOMPSON,

Plaintiff,

v.

CIVIL ACTION NO. 2:23-cv-00791

MARTIN J. O'MALLEY,

Commissioner for the Social Security Administration,

Defendant.

MEMORANDUM OPINION AND ORDER

Before the Court is Plaintiff Lisa D. Thompson's Complaint seeking review of the decision of the Commissioner of Social Security, Martin J. O'Malley ("Commissioner"). (ECF No. 1.) By Standing Order entered January 4, 2016, and filed in this case on December 15, 2023, (ECF No. 2), this action was referred to United States Magistrate Judge Omar J. Aboulhosn for submission of proposed findings of fact and a recommendation for disposition ("PF&R"). (ECF No. 2). Magistrate Judge Aboulhosn filed his PF&R, (ECF No. 8), on April 10, 2024, recommending that this Court affirm the final decision of the Commissioner and dismiss this matter from the Court's docket.

The Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of de novo review and the Petitioner's right to appeal this

Court's Order. 28 U.S.C. § 636(b)(1); *see also Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984). In addition, this Court need not conduct a de novo review when a party "makes general and conclusory objections that do not direct the Court to a specific error in the magistrate's proposed findings and recommendations." *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982).

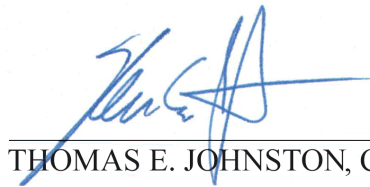
Objections to the PF&R were due on April 29, 2024. To date, no objections have been filed.

Accordingly, the Court **ADOPTS** the PF&R, (ECF No. 8), **DENIES** Plaintiff's request to reverse and remand for an outright award of benefits, or to remand this matter for further proceedings, (ECF No. 5), **GRANTS** the Defendant's request to affirm the decision of the Commission, (ECF No. 6), **AFFIRMS** the final decision of the Commissioner, **DISMISSES** the Complaint, (ECF No. 1), and **DIRECTS** the Clerk to remove this case from the Court's docket.

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: May 16, 2024

A handwritten signature in blue ink, appearing to read 'Thomas E. Johnston', is written over a horizontal line.

THOMAS E. JOHNSTON, CHIEF JUDGE